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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,551	03/12/2004	Thomas B. Bohn	CM06870H	7816

22917 7590 01/23/2007
MOTOROLA, INC.
1303 EAST ALGONQUIN ROAD
IL01/3RD
SCHAUMBURG, IL 60196

EXAMINER

GONZALEZ, AMANCIO

ART UNIT	PAPER NUMBER
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2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/799,551	BOHN ET AL.	
	Examiner	Art Unit	
	Amancio Gonzalez	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1, 2, 4-6, and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Desgagne et al. (US Pat 6295453), herein after Desgagne, in view of Haartsen (US Pat 6650630), herein after Haartsen.

Consider claim 1, Desgagne discloses a time division multiple access system (see Desgagne: col. 1 lines 52-55, col. 5 lines 65-67, col. 6 lines 36-44 and 64-67, col. 7 lines 1-3, col. 9 lines 52-53). Desgagne discloses receiving a requested call type (see Desgagne: col. 3 lines 7-14, col. 7 lines 33-37 and 47-56, col. 9 line 54).

Desgagne discloses setting a slotting structure as an existing slotting structure for the **communication** channels based on the requested call type (**slotting structure**

reads on channel assignment process -see Desgagne: col. 7 lines 30-37, col. 9 lines 50-52). Desgagne does not directly refer to the requested call as a "first" call, but discloses a first and a second sort of rate data call (**see Desgagne: Abstract**), which one of ordinary skill in the art at the time the invention was made would have understood as first and second call. Desgagne does not refer to the communication channels as "inbound and outbound channels." Haartsen discloses uplink and downlink time slotting (**with the user terminal taken as reference, downlink reads on inbound and uplink reads on outbound -see Haartsen: col. 2 lines 65-67, col. 3 lines 1-4**).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Desgagne and have it specify downlink and uplink time slotting, thereby efficiently managing resources and traffic control in time-division-duplex communication systems, as taught by Haartsen.

Consider claim 2, Desgagne, as modified by Haartsen, teaches claim 1 above, and further discloses identifying a preferred channel feature requested for the call (see Desgagne: col. 7 lines 45-46), and Haartsen further discloses a preferable slotting structure (see Haartsen: col. 10 lines 18-24, col. 11 lines 1-6).

Consider claim 4, Desgagne, as modified by Haartsen, teaches claim 1 above, and further discloses receiving a requested call type for a call (see Desgagne: col. 3 lines 7-14, col. 7 lines 33-37 and 47-56, col. 9 line 54) and determining whether the requested call type can be supported by the existing slotting structure (see Desgagne: col. 3 lines 22-25).

Consider claim 5, Desgagne, as modified by Haartsen, teaches claim 4 above, and further discloses wherein if the second requested call type can be supported by the existing slotting structure, granting the second requested call type if there are enough available channels in the system to support the second requested call type; otherwise denying the second requested all type (see Desgagne: col. 12 lines 32-46, fig. 3A).

Consider claim 6, Desgagne, as modified by Haartsen, teaches claim 4 above, and further discloses wherein if the second requested call type cannot be supported by the existing slotting structure: determining whether the first requested call type can be supported by a second slotting structure required to support the second requested call type; and if the first requested call type can be supported by the second slotting structure, changing the existing slotting structure to the second slotting structure, and granting the second requested call type (see Desgagne: col. 12 lines 32-46, figs. 3A and 3B).

Consider claim 9, Desgagne, as modified by Haartsen, teaches claim 1 above, and further discloses assigning priority (see Desgagne: col. 9: 56-60, col. 10 lines 61-67, col. 11 lines 7-13) and dynamically changing slotting structure according to service request (see Desgagne: col. 12 lines 32-46, figs. 3A and 3B).

Consider claim 10, Desgagne, as modified by Haartsen, teaches claim 9 above, and further discloses dropping the first requested call type if the first requested call type cannot be supported by the second slotting structure (service type reads on slotting structure -see Desgagne: col. 8 lines 65-67, col. 9 lines 1-11, col. 12 lines 32-46, fig. 3A).

Consider claim 11, Desgagne, as modified by Haartsen, teaches claim 9 above, and further discloses determining channel availability (see Desgagne: col. 8 lines 65-67, col. 9 lines 1-11, col. 12 lines 32-46) and performing call dropping upon a defined condition (see Desgagne: col. 8 lines 65-67, col. 9 lines 1-11, col. 12 lines 32-46, fig. 3A).

4. Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Desgagne et al. (US Pat 6295453), herein after Desgagne, in view of Haartsen (US Pat 6650630), herein after Haartsen, as applied to claims 1 and 6 above, further in view of Dertz et al. (US PGPub 20020093948), herein after Dertz.

Consider claim 3, Desgagne, as modified by Haartsen, teaches claim 1 above, and further discloses receiving a requested call type for a call (see Desgagne: col. 3 lines 7-14, col. 7 lines 33-37 and 47-56, col. 9 line 54), does not explicitly mention denying the call if there are not enough available bandwidth in the system to support requested call type. Dertz discloses denying the call if there are not enough available bandwidth to support the call type (see Dertz: Abstract, par. 0055). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Desgagne and Haartsen and have it include a service controller and bandwidth manager, as taught by Dertz (see Dertz: par. 0053), thereby efficiently managing calls of distinct information contents in narrowband communication systems.

Consider claim 7, Desgagne, as modified by Haartsen, teaches claim 6 above, but does not particularly mention sending message to the user. Dertz disclose sending

message to the user (user reads on subscriber –see Dertz: par. 0025, fig. 2). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Desgagne and Haartsen and have it send a message to the user, thereby keeping the subscriber aware of the connection and service through the system, as taught by Dertz.

5. Claims 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Desgagne et al. (US Pat 6295453), herein after Desgagne, in view of Haartsen (US Pat 6650630), herein after Haartsen, as applied to claims 4 and 1 above, further in view of Dertz et al. (US PGPub 20020093948), herein after Dertz, and Klein et al. (US Pat 6707798), herein after Klein.

Consider claims 8 and 12, Desgagne, as modified by Haartsen, teaches claim 4 and 1 above respectively, but does not particularly mention unit-to-wireline interconnection or half-duplex transmission. Dertz discloses unit-to-wireline connection (see Dertz: pars. 0037, 0055, 0071, 0072, 0087) and Klein discloses half duplex transmission (see Klein: col. 8 lines 8-11, col. 9 lines 36-37, col. 17 lines 20-24). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Desgagne and Haartsen and have it include unit-to-wireline interconnection and half-duplex transmission, as taught by Dertz and Klein, thereby effectively managing and conveniently applying time slotting schemes in communication systems.

Art Unit: 2617

6. Claims 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Desgagne et al. (US Pat 6295453), herein after Desgagne, in view of Haartsen (US Pat 6650630), herein after Haartsen, as applied to claims 4 and 1 above, further in view of Ottosson et al. (US Pat 6665288), herein after Ottosson.

Consider claim 13, Desgagne, as modified by Haartsen, teaches claim 1 above, but does not particularly refer to slotting structure being one of an aligned slotting structure or an offset slotting structure. Ottosson discloses a using offset slotting structure (see Ottosson: col. 3 lines 40-47). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Desgagne and Haartsen and have it include offset slot structure, thereby better distributing power commands while reducing coincidence of the synchronization codes and the power control and power symbols, as taught by Ottosson.

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

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Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Delaney Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Amancio González, whose telephone number is (571) 270-1106. The Examiner can normally be reached on Monday-Thursday from 7:30am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Nick Corsaro can be reached at (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Amancio González
AG/ag

January 10, 2007


NICK CORSARO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600